

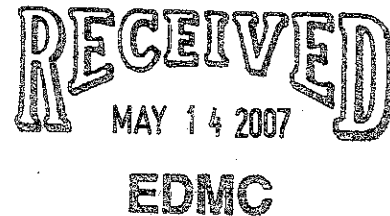


STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3100 Port of Benton Blvd • Richland, WA 99354 • (509) 372-7950

May 3, 2007

Ms. Shirley Olinger, Acting Manager
Office of River Protection
United States Department of Energy
P.O. Box 450, MSIN: H6-60
Richland, Washington 99352



Re: Point Inspection of Waste Treatment and Immobilization Plant, Fueling Operations

Dear Ms. Olinger:

This letter communicates the results of a point source inspection on the grounds of the Waste Treatment and Immobilization Plant (WTP). On February 15, 2007, Ecology inspected the construction vehicle fuel storage and dispensing operations of Bechtel National Inc. (BNI) to assess compliance with Chapters 173-400, 173-460, and 173-491 of the Washington Administrative Code (WAC).

Upon review of records provided by BNI, we have determined that the fuel operations are exempt from emission control requirements under WAC 173-400, WAC 173-460, and WAC 173-491. New Source Review (NSR) requirements of WAC 173-400-110 provide for the exemption of certain operations from application for NSR. That exemption, however, requires that:

WAC 173-400-110(5)(b): The owner or operator seeking to exempt a project from new source review under this section shall notify, and upon request, file a brief project summary with the permitting authority prior to beginning actual construction on the project.

United States Department of Energy - Office of River Protection (USDOE-ORP) began installation of the fueling operations in October 2002, and began operations on December 12, 2002. We understand that inquiry by Ecology personnel in January 2003 yielded information which indicated BNI had considered emission control exemption. However, neither BNI nor the USDOE-ORP filed the required exemption notice. Without this notice for exemption, you are required to file a notice of construction (WAC 173-400-110[2][a]). In failing to file a notice of construction, the installation and operation of this emission source are in violation of WAC 173-400-110(2)(a).

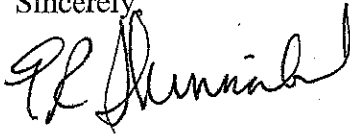
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Ecology does not believe that your violation of WAC 173-400-110(2)(a) was intentional or environmentally significant. Therefore, Ecology will not issue a notice of violation or initiate enforcement action for your failure to file a notice of construction. We convey this information in order that you assure compliance in future projects involving air emissions.

The USDOE-ORP must account for all operations, including emissions from this fueling operation, in annual emission inventories required by WAC 173-400-105 and Section 4.3.2 of the Hanford Site Air Operating Permit (Standard Terms and General Conditions).

If you have any questions, please contact Doug Hendrickson at 509-372-7983.

Sincerely,



Ron Skinnarland
Manager, Waste Management Section
Nuclear Waste Program

dh/pll

cc: Dennis Bowser, USDOE
Mary Jarvis, USDOE
Woody Russell, USDOE
Brad Erlandson, BNI
Stuart Harris, CTUIR
Gabriel Bohnee, NPT
Russell Jim, YN
Susan Lechband, HAB
Ken Niles, ODOE
John Martell, Health H-0-8 H-0-9
Administrative Record: WTP; AIR Inspections
Environmental Portal